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INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE  
RUEHBY/AMEMBASSY CANBERRA 0203  
RUEHNE/AMEMBASSY NEW DELHI 3774  
RUEHUL/AMEMBASSY SEOUL 7299  
RUEHKO/AMEMBASSY TOKYO 4859  
RUDKIA/AMCONSUL CHIANG MAI 0897  
RHHMUNA/CDR USPACOM HONOLULU HI  
RUEHGV/USMISSION GENEVA 3078  
RHEHNSC/NSC WASHDC  
RUCNDT/USMISSION USUN NEW YORK 0717  
RUEKJCS/SECDEF WASHDC  
RUEHBS/USEU BRUSSELS  
RUEKJCS/JOINT STAFF WASHDC  
RHEFDIA/DIA WASHINGTON DC//DHO-3//  
RHHMUNA/CDR USPACOM HONOLULU HI//J2/HSE/DIA-REP//

C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000227

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( C O R R E C T E D C O P Y - ADDED ADDRESSES )

E.O. 12958: DECL: 01/11/2017  
TAGS: PGOV PREL BM  
SUBJECT: BURMESE MILITARY STILL INTERESTED IN TALKING WITH  
US

REF: A. 05 RANGOON 1115  
¶B. 05 RANGOON 1010

RANGOON 00000227 001.2 OF 003

Classified By: CDA Shari Villarosa for Reasons 1.4 (b) and (d)

¶11. (C) Summary: Charge and DATT met with LTG Myint Swe on March 3 for another of their periodic exchanges of views (ref A). Deputy Foreign Minister Kyaw Thu also sat in on this meeting, unlike previous meetings, but he did not actively participate in the discussion. Charge tried to draw the General out on specific follow up steps the regime plans as the National Convention draws to a conclusion. Myint Swe offered minimal clarification but did indicate that the regime does not yet see a role for the National League of Democracy. He made it clear that the regime views free debate over a constitution as a waste of time. He resisted entreaties to consult with other countries for lessons learned in developing enduring constitutions on the grounds that Burma is unique. In order to gain international acceptance of its constitutional process, Charge said that the regime needed to open up the process to make it more inclusive, permit political parties to freely operate, and release political prisoners, especially recognized political leaders like Aung San Suu Kyi and Hkun Htun Oo. We also repeated our interest in resuming annual Opium Yield Surveys and searching for World War II remains. In contrast to the vitriolic anti-American campaign underway in the regime's mass media, neither Myint Swe nor Kyaw Thu criticized the United States and indicated interest in continued exchanges of views. End Summary

¶12. (C) LTG Myint Swe agreed to meet Charge and DATT late Saturday afternoon March 3. We received about five hours notice after repeated requests for meetings had gone unanswered since last November. Unlike previous meetings, the Deputy Foreign Minister sat in on this meeting, although

he did not actively participate in the discussion and mostly circled his eyes around the room appearing bored. Due to their inability to find a translator at short notice, the Deputy Director General of Protocol had to serve as translator.

¶3. (C) Charge began the discussion seeking clarity about the next steps envisioned after the National Convention (NC) concludes in May. She noted that this offered an opportunity to open the process and make it more inclusive to gain international support. LTG Myint Swe acknowledged that the NC process had taken a lot of time, that "the drafting of the basic principles is at an end," and that it should conclude soon, although he never specified any date beyond "as soon as possible." What's next? "The NC Process will be followed automatically leading to a constitution," replied the General. Charge sought more clarity regarding who would draft the constitution, which we understood to be based on basic principles agreed by the NC. He never directly responded to repeated questions about whether the Attorney General or a subset of NC delegates would draft the document, instead he mentioned that obtaining ethnic minority and majority support for "an everlasting constitution for the benefit of all" was the regime's top priority. He blamed the prolonged nature of this first step on the National League of Democracy (NLD), which walked out. (Note: because they were not allowed to debate or publicly comment on issues under discussion. End note) He claimed that "if the NLD had not walked out, we would have been finished already."

¶4. (C) Charge asked if NLD would be invited to participate in Step Two. Myint Swe replied "Because the NLD didn't participate in Step 1, then I don't think Step 2 will include the NLD." Charge urged that NLD be invited to make the next step more inclusive, but the General indicted that they would not, claiming that since NLD had not participated in the detailed discussions about the basic principles, they would slow the process down that now runs "very smoothly and is about to finish." Charge said that a lasting constitution

RANGOON 00000227 002.2 OF 003

requires full debate and compromises to get buy-in from all those affected by it, citing our own Constitution's 200-plus-year longevity as an example. He responded that NLD might be able to participate in the follow-on referendum and election, "if it is still a legal party," and suggested that Charge meet with Secretary One General Thein Sein to get the details of how the process will unfold. Charge noted that we had repeatedly requested meetings with him without any response, so would appreciate Myint Swe's assistance in making that meeting happen. She also inquired if the regime planned to make NLD illegal. "That depends on the NLD. . .if they are involved in illegal activities, in meeting with insurgents. . or anti-government activity, then they might be declared illegal. . .we have reports of contacts between the NLD and destructive elements/activities," came the reply.

¶5. (C) The Charge said that the U.S. wants to see ALL political parties playing an active role in the development of their country, even if they sometimes criticize the government. She repeated our four goals: an open and inclusive process; political parties can freely operate; release of political prisoners, including recognized political party leaders like Aung San Suu Kyi and Hkun Htun Oo, and removal of restrictions on humanitarian access. Myint Swe claimed that parties can freely function unless they are involved in illegal activities, but could not name any when asked which could freely operate now. Instead, he claimed ten parties currently operate, and noted that U.S. Embassy officials regularly visit NLD Headquarters. He added that all of the parties have to operate in accordance with the law. Charge asked if any group of people could form a party now. "They have to register first, responded Myint Swe, "If they have registered, then they can function."

¶6. Charge said that only by opening up the constitutional

process would Burma gain international credibility and create the stability it sought. She emphasized that we will continue to speak out about this and also urge other countries to do the same. Myint Swe made it clear that the regime would continue to resist. If there is an opening of the process, he said, then there will be lots of opinions coming in and the process will be stopped. He claimed the military had achieved stability after a long history of instability. When he tried to claim that history showed that debate just created more instability, Charge cited the positive experience of other countries whose constitutions were products of debate, such as Thailand, Indonesia and South Africa. Myint Swe rejected the examples, saying, "they have their own situation...we know our own country." Charge said that without debate, a constitution will not survive, and urged the regime to ask other countries which have passed through recent political transitions for useful lessons learned. Again he rejected the advice, "You cannot compare this country with other countries. We've been facing insurgency since independence. Only now are we achieving stability with our arms for peace programs. . .it's only recently that we've had the stability to move forward."

¶7. (C) Sensing his desire to continue the debate was waning Charge noted that while we would continue to speak out in support of an open political process, there were areas where we had cooperated in the past, such as the opium yield survey and searching for the remains of our World War II missing in action. Myint Swe said those issues should be taken up with the Ministries of Home Affairs and Foreign Affairs. Charge said she had been told directly by the Minister of Health that we could resume the Opium Yield Survey, but that it had gone nowhere despite our follow-up inquiries. DATT added that he had asked Military Security Affairs so often about remains recovery that finally he was told not to even ask anymore. He said he would go back again, if Myint Swe thought he could get the cooperation to move forward, and asked if conditions had changed in Kachin State. Myint Swe acknowledged that security conditions in Kachin State, and the many splinter groups there, may have been the reason that

RANGOON 00000227 003.2 OF 003

we had not received permission. He added that the Ministry of Defense was only concerned about the security aspects, and repeated that we should follow up with the Ministry of Home Affairs.

¶8. (C) Charge thanked Myint Swe for agreeing to meet and said she would continue to seek regular exchanges of views with him. Myint Swe replied that "we still regard the US as our friend," that these meetings were in our mutual interests, but that sometimes he would not be available. At that point the Deputy Foreign Minister woke up and said that he also wished to convey interest on the party of his government to engage in discussions similar to recently concluded discussions with the European Union. He said that they had frank and candid discussions and taken the participants to visit other parts of Burma, including Karen State so they could get a view of the peace process with the Karen. Since "I just realized it is natural to see each other often and ask questions" to build confidence, he wanted to extend this offer to Americans, including Congressmen and Senators. However, he added that there can be no pre-conditions (like seeing Aung San Suu Kyi? interjected the Charge). He continued, they can look, they can ask questions and they will get candid, frank talk. "That is our offer, if you are interested." Charge replied that she would relay this offer back to Washington. She added that she understood the recent discussions with the EU primarily involved academics, and noted that many U.S. academics regularly visit here already. She pointed out that the Foreign Ministry used to organize informative trips around the country which enabled diplomats to get a clearer picture of what was happening and requested that they resume. She said that the recent trips organized by other ministries had not offered much flexibility in permitting the diplomats to see

conditions for themselves, so they had lost interest.

¶19. (C) Comment: Never once did Myint Swe allude to the harsh condemnations of the U.S. that have been a daily staple in the government-controlled media since January. He seemed genuinely willing to try to explain the constitutional process, even if he was not terribly persuasive. It also was clear that the regime intends to keep the process under its tight control, and regards itself as too unique to learn from others. The threats against NLD are made regularly, which serve to keep the NLD very cautious about speaking out. In contrast to our previous meetings, he seemed more confident than the last time, but no longer made any big claims about his importance. He did not show any irritation with any questions posed.

¶10. (C) Comment continued: Why Kyaw Thu joined this meeting makes little sense unless he was seeking an official imprimatur for resuming discussions that he broke off last July (ref B). We have heard repeatedly from numerous sources, who claim regular contacts with senior military officials, that "they" want to talk with us, but do not know how to go about it. It is never clear who precisely "they" are, but this did appear to be an effort from a senior general, reportedly close to Than Shwe, and a senior Foreign Ministry official signaling a willingness to talk with us. With regard to Kyaw Thu's offer above, the so-called Track Two Dialogue has been described by others as an effort by number three general Thura Shwe Mann to reach out to the international community. Kyaw Thu's sister initiated contacts with the Europeans several months ago when she was assigned to Geneva. The resident European Ambassadors here refused to participate because the Foreign Ministry offered only the routine staged propaganda trips of recent years, as well as obligatory meetings with government-sponsored organizations. "They" clearly are not yet ready for foreigners to meet with all the persons of interest in Burma and travel freely to judge conditions themselves.

VILLAROSA